

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A dry toner comprising:

a base toner-particle,

~~fine particles~~ of a charge control agent on the surface of the base toner-particle; and

an external additive on the surface ~~thereof~~ of the base toner-particle,

the base toner-particle comprising a toner core and organic fine particles on the surface of the toner core,

the toner core comprising a toner binder, a colorant, and wax,

wherein the wax is concentrated in the vicinity of the surface of the toner core.

Claim 2 (Original): A dry toner according to Claim 1, wherein the vicinity of the surface of the toner core is a region on an arbitrary cross section of the toner core, having a center of the toner core thereon, where the region lies between an outer circumference of the arbitrary cross section and an inner circumference having a radius two thirds of a radius of the outer circumference.

Claim 3 (Original): A dry toner according to Claim 1, wherein the vicinity of the surface of the toner core is a region on an arbitrary cross section of the toner core, having a center of the toner core thereon, where the region lies between an outer circumference of the arbitrary cross section and an inner circumference having a radius one half of a radius of the outer circumference, and

wherein the wax in a shape of dispersed particles occurring in the region occupies 80% by number or more of the total wax.

Claim 4 (Original): A dry toner according to Claim 1,  
wherein the vicinity of the surface of the toner core is a region on an arbitrary cross section of the toner core, having a center of the toner core thereon, where the region lies between an outer circumference of the arbitrary cross section and an inner circumference having a radius two thirds of a radius of the outer circumference, and  
wherein the wax in a shape of dispersed particles occurring in the region occupies 70% by number or more of the total wax.

Claim 5 (Original): A dry toner according to Claim 1, wherein the wax is not exposed from the surface of the base toner-particle.

Claim 6 (Original): A dry toner according to Claim 1, wherein the wax in a shape of dispersed particles having a particle diameter of 0.1  $\mu\text{m}$  to 3  $\mu\text{m}$  occupies 70% by number or more of the total wax.

Claim 7 (Original): A dry toner according to Claim 1, wherein the wax is at least one selected from the group consisting of free fatty acid eliminated carnauba wax, rice wax, montan wax, and ester wax.

Claim 8 (Original): A dry toner according to Claim 1, wherein the toner binder comprises at least one modified polyester (i).

Claim 9 (Original): A dry toner according to Claim 8, wherein the toner binder has a toner composition containing the modified polyester (i) as a raw material thereof and the

toner composition containing a modified polyester (i) is at least one of dissolved and dispersed in an organic solvent and is then dispersed into an aqueous medium so as to form the toner binder.

Claim 10 (Original): A dry toner according to Claim 8, wherein the modified polyester (i) is formed while a toner composition containing a polyester prepolymer is dissolved or dispersed in an organic solvent and is then dispersed into an aqueous medium.

Claim 11 (Original): A dry toner according to Claim 8, wherein the toner binder further comprises an unmodified polyester (ii) in addition to the modified polyester (i), and wherein the weight ratio of the modified polyester (i) to the unmodified polyester (ii) is from 5:95 to 80:20.

Claim 12 (Original): A dry toner according to Claim 8, wherein the toner binder has a peak molecular weight of 1,000 to 10,000.

Claim 13 (Original): A dry toner according to Claim 8, wherein the toner binder has a glass transition point  $T_g$  of 40°C to 70°C.

Claim 14 (Original): A dry toner according to Claim 1, wherein the toner has a volume-average particle diameter  $D_v$  of 3.0  $\mu\text{m}$  to 8.0  $\mu\text{m}$  and a ratio  $D_v/D_n$  of the volume-average particle diameter  $D_v$  to a number-average particle diameter  $D_n$  of 1.00 to 1.20.

Claim 15 (Original): A dry toner according to Claim 1, wherein the toner has an average circularity of 0.93 to 1.00.

Claim 16 (Currently Amended): A dry toner according to Claim 1, wherein the toner particle has ~~[[an]]~~ a spindle shape.

Claim 17 (Original): A dry toner according to Claim 16, wherein the toner particle has an spindle shape having a major axis  $r_1$ , a minor axis  $r_2$  and a thickness  $r_3$ , wherein the ratio ( $r_2/r_1$ ) of the minor axis  $r_2$  to the major axis  $r_1$  is 0.5 to 0.8, and the ratio ( $r_3/r_2$ ) of the thickness  $r_3$  to the minor axis  $r_2$  is 0.7 to 1.0.

Claim 18 (Original): A dry toner according to Claim 1, wherein the external additive comprises at least one of hydrophobic silica and hydrophobic titanium oxide.

Claim 19 (Currently Amended): An image forming process, comprising ~~the steps of~~:  
charging a photoconductor;  
irradiating the photoconductor with radiation to form a latent electrostatic image thereon;  
developing the latent electrostatic image using a toner to form a toner image;  
transferring the toner image onto a recording medium; and  
fixing the transferred unfixed toner image on the recording medium;  
the fixing ~~step~~ being a heat fixing ~~step~~ comprising passing the recording medium bearing the unfixed toner image between a film and a pressurizing member of a fixing device, the fixing device comprising:  
a heating member having a heating element,  
the film in contact with the heating member, and

the pressurizing member in contact with the heating member with the interposition of the film,  
wherein the toner is a dry toner comprising:  
a base toner-particle,  
~~fine particles of~~ a charge control agent on the surface of the base toner-particle, and  
an external additive ~~thereover~~ also over the base toner-particle,

the base toner-particle comprising a toner core and organic fine particles on the surface of the toner core,

the toner core comprising at least a toner binder, a colorant, and a wax,

wherein the wax is ~~existed~~ concentrated more in the vicinity of the surface of the toner core than in any other rejoin of the toner core.

Claim 20 (Original): An image forming process according to Claim 19, wherein the photoconductor is an amorphous silicon photoconductor.

Claim 21 (Original): An image forming process according to Claim 19, further comprising applying an alternating field in the step of developing the toner image.

Claim 22 (Original): An image forming process according to Claim 19, wherein the step of charging the photoconductor comprises bringing the photoconductor in contact with an electrostatic charger, and applying a voltage to the electrostatic charger.

Claim 23 (Currently Amended): A process cartridge, comprising:

a photoconductor; and

a developing device,

wherein the process cartridge is detachable from an image forming apparatus,

wherein the developing device contains a dry toner,

the dry toner comprising:

a base toner-particle, ~~fine particles of~~

a charge control agent on the surface of the base toner-particle, and

an external additive ~~thereover~~ also over the base toner-particle,

the base toner-particle comprising a toner core and organic fine particles on the surface of the toner core,

the toner core comprising at least a toner binder, organic fine particles, a colorant, and a wax,

wherein the wax is ~~existed~~ concentrated more in the vicinity of the surface of the toner core than in any other regions of the toner core.

Claim 24 (Currently Amended): An image forming apparatus comprising:

a photoconductor;

a charger for charging the photoconductor;

an irradiator for irradiating the photoconductor with radiation to form a latent electrostatic image thereon;

a developing unit for developing the latent electrostatic image with a toner to form a toner image;

a transferring unit for transferring the toner image onto a recording medium; and

a fixer for fixing the transferred toner image on the recording member,

wherein the toner is a dry toner comprising:

a base toner-particle,

~~fine particles of~~ a charge control agent, and

an external additive on the surface of the base toner-particle,  
the base toner-particle comprising a toner core and organic fine particles on  
the surface of the toner core,  
the toner core comprising at least a toner binder, a colorant, and a wax,  
wherein the wax is concentrated in the vicinity of the surface of the toner core.

Claim 25 (Original): An image forming apparatus according to Claim 24,  
wherein the fixer is a fixing device comprising:  
a heating member having a heating element,  
a film in contact with the heating member, and  
a pressurizing member in contact with the heating member with the  
interposition of the film, and  
wherein the fixing device is so configured as to allow a recording medium bearing an  
unfixed image to pass between the film and the pressurizing member.